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# Commentary on “*Ad Stuprum*: The Fallacy of Appeal to Sex”

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Anger & Hundleby’s new fallacy *Ad Stuprum* – a fallacious appeal to sexuality – is a new and interesting contribution to scholarship on fallacies. On their view, *Ad Stuprum* is analogous in many ways to *Ad Baculum* (or an appeal to force) in that both can arise as irrelevant appeals to some material outcome intended to shut off rather than further critical discussion. Despite their apparent irrelevancy in some contexts, Anger & Hundleby note that both *Ad Stuprum* and *Ad Baculum* can nevertheless be very persuasive in terms of directing behavior, if not critical thinking. The authors note that where the fallacies appear to be different however is in the way that *Ad Baculum* is (always?) negative while *Ad Stuprum* can occur as either a positive or negative appeal. Unlike threats of force, which are negative when they are promised, sexual appeals, as the authors describe them, are negative when they are withheld and positive when they are promised.

What I found most compelling about Anger & Hundleby’s analysis is their attention to the significant absence of sexuality as a component of human experience in theories of fallacious reasoning. Philosophers have long chronicled the variety of human appeals to emotions and desires including fear, shame, pity, threat of physical force, popularity, disaster, and pride. Anger & Hundleby make a good case for more research into the gendered nature of emotional appeals since the absence of sex as a tool for persuasion highlights traditional masculine concerns with appeals to authority, popularity, domination, manipulation, and control. Since sexuality, in a traditionally heteronormative context, involves men interacting with women, mistakes in reasoning about sex seem to have been relegated to the “private” sphere of negotiation and thus have not garnered the same attention as “manly” public pursuits like political speeches, market negotiations, and policy debates. Errors in reasoning in the bedroom could be understood as “natural” and highly subjective since men were acting primarily from desire and were, after all, dealing with women. Errors in the boardroom, or the public sphere on the other hand, were recorded and countered with a cold dispassionate logic so as to avoid high stakes public blunders between men. Yet as Anger & Hundleby point out, sex sells and pervades culture and blurs the boundary between public and private. An analysis of sexual appeals is for this reason a welcome and fruitful area for research in argumentation theory.

I will just raise one question in the hopes of generating further discussion of Anger & Hundleby’s thought provoking analysis and it stems from the comparison they make to the *Ad Baculum* fallacy coupled with their use of Walton’s account of fallacies. The question I have comes after considering two of the examples provided by Anger & Hundleby intended to illustrate *Ad Stuprum* appeals. Specifically I want to consider the *Lysistrata* case and the *Sluts Against Harper* case. In the first, the women of Greece vow to withhold sex from the men fighting so as to motivate an end to the Peloponnesian War. Anger & Hundleby describe this as “an excellent example of a negative appeal to sexuality.” What is not clear to me is that this is a persuasive use of a sexual appeal rather than a move in a negotiation. Walton, in his 1992 paper

“Which of the Fallacies are Fallacies of Relevance” offers an example of a clear negotiation case where an Ad Baculum appeal is not fallacious. The case involves a union representative threatening a strike if management does not meet a particular demand. On the other hand, Walton notes that a supervisor threatening to fire an employee who disagrees with a policy under review is, on Walton’s view, a clearly fallacious appeal to force because the context requires critical discussion and the supervisor is using force to prevent it. Walton writes, “As noted, indirect threats are a commonplace part of bargaining in negotiations between union and management. In such a context, an indirect threat is not only a kind of practical argumentation that is normally expected, but it is also not necessarily a fallacy either. Rather, the threat is fallacious from the point of view of the critical discussion.” (p. 248)

A negotiation entails a certain kind of parity between negotiators. To negotiate means that each party has something the other values and so conflicting demands have to be ironed out and compromises made. Critical discussion contexts shift the dialogue from a focus on demands and compromise to one that tracks truth and imminent value. Personal power and resources should not dictate the course of a critical discussion and when they do, it is often in the form of a fallacious appeal like a supervisor threatening those he supervises. What is tricky about the Lysistrata case, and the case of women in general for the past two thousand years, is that they held very little, if any, public power and the promise of sexuality was one of few things they could use as a tool for negotiation. That makes the Lysistrata case perhaps more like the case of the union workers rather than the supervisor. What I am suggesting is that fallacious Ad Baculum appeals require the person committing the fallacy to have some power over those they threaten, otherwise it would not be a threat. Now the threat could be purely physical power but also clearly social, political, or economic power. If an individual or group lacks power in most every relevant sense but one, withholding that one advantage seems to be a matter of negotiation rather than a move to shut off critical discourse. This is because critical discussion requires moving from a context of power to one of reasons. Historically oppressed groups, like the women in Lysistrata, have not been invited into such contexts because their lack of power was essential to how they were defined. If they were part of critical discussions, they were not women. Hence the women in Lysistrata were not negatively appealing to sexuality as a form of coercion but rather, as I read it, a form of negotiation playing their one and only card.

To a lesser extent, the Sluts Against Harper campaign that included women and men, was nevertheless led by young attractive women who in fact shared a majority of photographs of young women. I would argue that the group would not have had the popularity it had (it went viral with thousands and thousands of requests) were it not for the great number of people who desire nude photographs of young women. In this way, though it was a more positive and empowered campaign of sexuality, the Sluts Against Harper organizers traded upon the same single negotiating tactic as the women of Lysistrata. They wanted the public and political outcome to change and traded upon their sexuality and the sexual desires of a public eager to see nude women, to affect that outcome. If young women’s public power traded upon something more than or in addition to sexuality, and the public’s desire to see women in sexualized contexts was less than it is, the campaign would not have gone viral. To emphasize this point imagine a campaign to turn out the vote that relied upon erotic photos of men in the U.S. who were millionaires and billionaires. While such a campaign might attract attention for its novelty, it is hard to imagine that it would go viral with a backlog of requests for more and more photos. Hence, like the Lysistrata case, I wonder if a woman’s public appeal to sexuality in either positive or negative ways can ever be analyzed as something other than a negotiation. To put it

simply: Are there critical discussion contexts where women hold equal or comparable power with men such that they are capable of committing the Ad Stuprum fallacy? Or is it the case that the fallacy could only truly occur in interpersonal critical discussion contexts between equal partners (their sexual identity irrelevant) where one promises (or withholds) sex when the issue is whether or not to say, purchase this life insurance, or invest in a particular mutual fund? In other words, a context that clearly requires non-sexual reasons shared between two equal partners who are not negotiating but assessing the worth or value of a particular course of action. Something like, “Honey you should invest in this equity fund with me because if you do, I will make you very happy later.” Somehow even in this kind of equitable intimate context the Ad Stuprum appeal still seems to me like a negotiation and the person saying it, lacking power in some other important area of the relationship.

None of this is to say that the insight and potential fruitfulness of considering fallacious appeals to sexuality is diminished by my questions. Rather, complex questions about how gender and power work in the context of negotiations as compared with critical discussions seem to be needed to add further “flesh” to the bones of our theories of fallacies.

## References

Walton, D. (1992). Which of the fallacies are fallacies of relevance. *Argumentation* 6 (2), 237-250.